



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



JENNIFER M. GRANHOLM
GOVERNOR

THOMAS D. WATKINS, JR.
SUPERINTENDENT OF
PUBLIC INSTRUCTION

MEMORANDUM

TO: State Board of Education

FROM: Thomas D. Watkins, Jr., Chairman

DATE: June 11, 2003

SUBJECT: Discussion on the Special Education Advisory Committee (SEAC) Review of the *No Child Left Behind Act* for Students with Disabilities

At the February 2003 meeting of the State Board of Education, I requested that the Special Education Advisory Committee (SEAC) review the No Child Left Behind Act (NCLB) regarding its effect on students with disabilities.

The SEAC Policy Committee reviewed the NCLB and determined a number of concerns regarding students with disabilities.

Some of the current concerns are

- Pressure to regroup students based on their disability.
- Tendency to force a single academic curriculum with uniform expectations for all children.
- Risk of placing blame on the student for failing to learn rather than looking at the things we can do to change outcomes or teach differently.
- Pressure to force the pace of learning – to make sure all children hit marks at the same time and at the same rate.
- Victimization of children with disabilities due to testing abuse.

At the June 4, 2003, SEAC meeting, the SEAC reviewed the report prepared by the Policy Committee and recommended that the SEAC Chair and Policy Chair present the report, Addressing the Question: What are the Michigan SEACs Current Concerns Pertaining to No Child Left Behind for Students with Disabilities to the State Board of Education for discussion.

The SEAC has taken this request to review and comment on the impact of NCLB for students with disabilities very seriously and offer their suggestions. The SEAC and their written report will be engaged as we develop strategies to implement NCLB, and as appropriate, seek necessary flexibility from the U.S. Department of Education (USDOE) and amendments to the law that strengthen quality education and accountability for all of our students.

The Governor, the State Board of Education, and I fully embrace the moral imperative to leave no child behind and pledge to work with the USDOE, parents, educators, business and community leaders to make it work for Michigan children. This report is one way that we will engage our various constituencies and help make NCLB be about lifting up our schools, our teachers, and most importantly our children.

STATE BOARD OF EDUCATION

KATHLEEN N. STRAUS - PRESIDENT • SHARON L. GIRE - VICE PRESIDENT
CAROLYN L. CURTIN - SECRETARY • HERBERT S. MOYER - TREASURER
MARIANNE YARED MCGUIRE - NASBE DELEGATE • JOHN C. AUSTIN • ELIZABETH W. BAUER • EILEEN LAPPIN WEISER

606 WEST ALLEGAN STREET • P.O. BOX 30008 • LANSING, MICHIGAN 48909
www.michigan.gov/mde • (517) 373-3324

Addressing the Question: What are the Michigan Special Education Advisory Committee's Current Concerns Pertaining to *No Child Left Behind* for Students with Disabilities?

No Child Left Behind Act (NCLB) presents both a golden opportunity and a daunting challenge. This is our opportunity to apply knowledge of learning and development to support each and every child who comes through the schoolhouse door. At the same time, it challenges all of us: to identify what's working and maintain it, to target what doesn't and abandon it, to explore new strategies and embrace them.

Rising to that challenge is difficult. In NCLB, all means all, including children with disabilities. Historically, serving all meant most children were the responsibility of the school they attend while some were the responsibility of special education. The result: silo thinking where each acknowledge the other, but know very little about the other side. Functionally, it is a divide that the system has not breached.

It is in that context that we consider the effects of NCLB for children with disabilities. Clearly, children with disabilities must not be left behind. The risk: in our attempts to rise to the challenge, we may inadvertently leave some children behind. Eventually, this may lead to some being left out. Clearly, the children most at risk of that dire consequence are those with disabilities.

Some Current Concerns of NCLB for Students with Disabilities:

- ❑ Pressure to regroup by disability. Knowing how to improve performance for all children ideally gives rise to a dialogue about teaching methods and strategies. That is a most welcome conversation, in particular, if it leads to changes in instructional practices for all learners. However, it may give rise to dialogue regarding can we teach or serve these children who aren't learning, in particular, these children with disabilities. The easy out: putting children with disabilities somewhere else and letting someone else take care of them.
- ❑ Tendency to force a single academic curriculum with uniform expectations for all children. This narrows what we consider relevant to teach and devalues the learning of real world, functional skills. For some children with disabilities, school includes learning essential life skills as well as traditional academic content. For other students with disabilities, real world, functional skills is the content. NCLB focuses energy on acquiring academic skills and seems to devalue this area of curricular competence.
- ❑ Risk of placing blame on the student for failing to learn rather than looking at the things we can do to change outcomes or teach differently. Students with disabilities can easily become failure to learn 'scapegoats'. A simple explanation of 'low performance' is the student.

Placing blame does not solve the problem. It shifts the system energy to where the problem lies as opposed to what it is and how to solve it. Helping the most challenging student learn and achieve high standards can encourage educators to embrace strategies that benefit all learners. It can strengthen how we teach. To get there, we need to attack the problem, not blame the victim.

- ❑ Pressure to force the pace for the learning — to make sure all children hit marks at the same time and at the same rate. That's a decrease in individualization for the

students who need it the most. For students who learn in different ways or require more practice, a fixed pace for learning will leave them further and further behind.

- ❑ Victimization of children with disabilities due to testing abuse. Testing abuse potentially comes in many forms: blaming the child for what he/she doesn't know, over exposing children to the testing situation, drilling children on how to take tests for which they aren't prepared. Children with disabilities need increases in *instructional* time rather than more time in demand performance situations. System pressure for increases in performance is shifting how time is spent in schools: more time spent on practice for demand performance — teaching children how to take the test — leaving less time for learning.

More practice on high stakes, demand situations does not increase instructional time. Further, for some children with disabilities, the testing situation itself is a potentially unintended disastrous consequence. For these children, the testing situation creates extreme stress and high anxiety. Repeated exposure to the high stakes situation coupled with reduced time to learn the content tested further complicates the emotional landscape for these children.

One of special educators' biggest concerns for this legislation is the sense that we have jumped to a solution before really understanding the problem. As a solution, NCLB appears to see teaching as the problem: inadequate teaching, poor or under qualified teachers and schools in general that do not work. Further it seems to assume that all children come to the schoolhouse door on equal footing ability-wise, with family and community support and a shared high value for education.

Demoralizing the adults who work with children serves no one, in particular children with disabilities. Overwhelmed and under attack, adults may give up before leaving the starting gate with children with disabilities. Avoiding the risk of corrective action and restructuring can divide and demoralize. Someone else, some place else might be better prepared to take care of children with disabilities. Rather than simply left behind, this can lead to being left out.

Our hope is that No Child Left Behind will be just that — no child, including children with disabilities left behind. These effects on children with disabilities are cautions to consider as we go about the work of assuring that no child is left behind. To achieve the vision of NCLB, we must support schools in expanding the ways we teach, in attracting highly qualified teachers to places where they are not and to motivating all schools to strive to higher and higher levels of achievement.

A climate that leaves educators and parents alike demoralized, feeling they are inadequate as educators, inadequate or uncaring as parents, or have their children enrolled in inadequate schools serves no one, least of all children with disabilities.

Current Concerns of the Michigan SEAC Regarding *No Child Left Behind* for Students with Disabilities

| <i>Losing sight of individual learning styles and rates of achievement</i> | <i>One size fits all – narrowing how things are taught</i> | <i>One size fits all – narrowing what is taught</i> | <i>Re-segregation by group</i> |
|--|--|---|--|
| <p>Placing blame on the student for failing to learn. The student becomes the simple explanation of 'low performance'.</p> <p>Victimization of children with disabilities due to testing abuse. Children with disabilities need increases in instructional time increases rather than more time in demand performance situations.</p> <p>For some children with disabilities, the testing situation creates extreme stress and high anxiety. Repeated exposure to the high stakes situation coupled with reduced time to learn content adds to their emotional problems.</p> | <p>Forcing the pace for the learning — to make sure all children hit marks at the same time and rate decreases individualization for the students who need it the most. For students who learn in different ways or require more practice, a fixed pace for learning can leave them further and further behind.</p> | <p>NCLB focuses energy on acquiring academic skills and seems to devalue other areas of curricular skills. This narrows what is considered as relevant to teach and devalues the learning of real world, functional skills. For some children with disabilities, school includes learning essential life skills as well as traditional academic content. For other students with disabilities, real world, functional skills is the content.</p> | <p>Knowing how to improve performance for all children ideally gives rise to a dialogue around teaching methods and strategies. That is a most welcome conversation, in particular, if it leads to changes in instructional practices for all learners. However, it may give rise to dialogue regarding can we serve or teach these children who aren't learning, in particular, these children with disabilities. The easy out: putting children with disabilities somewhere else and letting someone else take care of them.</p> |
| <ul style="list-style-type: none"> - Standardized testing with non-standardized students: potentially damaging their sense of self, their potential to achieve, "emotional abuse" - Over focus on performance / testing can increase student anxiety and increase stress on the student - Students with disabilities will withdraw from or give up on the learning process: they will drop out or leave our schools, value education less. There is no motivation to keep the students / to motivate students to stay. | <ul style="list-style-type: none"> - May reduce available time for learning - More students with disabilities forced into general education for content instruction without appropriate instructional support - Students taught specific content whether they are ready for it or not: how do we deal with the learner who does not have the prerequisite knowledge or skills for the content being taught - Students with disabilities may not be able to have access to a teacher with content | <ul style="list-style-type: none"> - Attention to core academic standards will mean students with disabilities may not have other key skills taught: core academic standards invalidates other key skills that children with disabilities need to know and be able to do: skew curriculum towards academic achievement only and leave students with disabilities behind. - Valuable skills – i.e., transition, work skills – will not be taught/addressed: No time will be available for the teaching of these skills due to pressure to test and perform | <ul style="list-style-type: none"> - May increase the tendency to retain students with disabilities so they can take lower grade level tests - Individual students who can not perform well on assessments may be pressured to move somewhere else so performance of school will not decrease or fail to show AYP - Programs serving children with disabilities will be moved yearly to avoid AYP issues as function of increased numbers of students with disabilities; this |

Current Concerns of the Michigan SEAC Regarding *No Child Left Behind* for Students with Disabilities

| <i>Losing sight of individual learning styles and rates of achievement</i> | <i>One size fits all – narrowing how things are taught</i> | <i>One size fits all – narrowing what is taught</i> | <i>Re-segregation by group</i> |
|---|---|---|--|
| | expertise AND disability / instructional expertise | <ul style="list-style-type: none"> - Students with disabilities who are not making the grade, that is, those who are not achieving proficiency on assessments, their data could be used to show there is a limited return on the investment in their education - Potentially, devalues some children, especially those who do not read or write | <ul style="list-style-type: none"> - movement may leave the children feeling displaced and lead to lower self esteem - Greater pressure to certify students to increase access to alternate assessment or accommodations |